

EXHIBIT 3

Swartz, Justin

From: Swartz, Justin
Sent: Thursday, October 18, 2007 10:58 AM
To: 'Marlon_Ovalles@nysd.uscourts.gov'
Cc: 'Michael Sweeney'; Bien, Rachel; 'BrecherJ@jacksonlewis.com'
Subject: RE: Clark v. Ecolab, Inc. - 07 Civ 8623 - (UNA)

Mr. Ovalles

I have pasted below Ecolab's response to our inquiry as to its position on whether *Clark* is related to *Masson* and *English*. I have also copied Ecolab's counsel in *Masson* and *English* on this email. Please let me know if the Court has any further questions.

Best regards,

Justin
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----- Original Message -----

From: Brecher, Jeffrey (Long Island)
To: Michael Sweeney
Sent: Wednesday, October 17, 2007 12:34 PM
Subject: RE: Clark v. Ecolab

Mike:

Ecolab does not believe that the cases are related. However, we will not be representing Ecolab in the Clark case.

1/14/2008